

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

WILLIAM H. BALL,  
Plaintiff,

v.

BARCLAYS BANK DELAWARE, a  
Delaware corporation,  
Defendant.

Case No. 2:24-cv-01452-CDS-EJY

**REPORT AND RECOMMENDATION**

This action commenced when Plaintiff, proceeding *pro se*, submitted an application to proceed *in forma pauperis* (“IFP”) together with a Complaint on August 8, 2024. ECF Nos. 1, 1-1. On January 2, 2025, the Court granted Plaintiff’s IFP and screened his Complaint. ECF No. 3. The Court gave Plaintiff through and including January 24, 2025 to file an amended complaint. *Id.* at 5.

On January 14, 2025, mail sent to Plaintiff was returned as undeliverable. ECF No. 4. The Court subsequently issued an Order on January 27, 2025 instructing Plaintiff to update his address no later than February 17, 2025. ECF No. 5. As of the date of this Recommendation, Plaintiff has not filed an amended complaint; nor has he otherwise communicated with the Court.

Accordingly, IT IS HEREBY RECOMMENDED that this matter be dismissed in its entirety without prejudice.

Dated this 20th day of February, 2025.

  
ELAYNA J. YOUCHAK  
UNITED STATES MAGISTRATE JUDGE

**NOTICE**

Under Local Rule IB 3-2, any objection to this Finding and Recommendation must be in writing and filed with the Clerk of the Court within fourteen (14) days. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file

1 objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also  
2 held that (1) failure to file objections within the specified time and (2) failure to properly address  
3 and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal  
4 factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir.  
5 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).